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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 SOMCHAY SOUKHASEUM,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of
12 Social Security,

13 Defendant.

Case No. C11-1151-RSL-JPD

REPORT AND RECOMMENDATION

14 Plaintiff brought this action to seek judicial review of the denial of his application for
15 disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The
16 parties have stipulated that this case should be reversed and remanded for further administrative
17 proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 17.

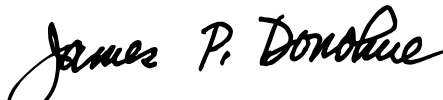
18 Based on the stipulation of the parties, the Court recommends that this case be
19 REVERSED and REMANDED for further administrative proceedings. On remand, the
20 Administrative Law Judge (“ALJ”) shall hold a new hearing, further develop the record by
21 updating the medical evidence, and reevaluate the medical opinions of Daniel Phan, M.D., Sudha
22 Elangovan, M.D., William Clayton, M.D., and Rory Laughherby, M.D., in accordance with 20
23 C.F.R. §§ 404.1527, 416.927, SSRs, and Ninth Circuit case law. The ALJ shall also re-evaluate
24 plaintiff’s residual functional capacity, including reevaluating the credibility of any witness.

1 Finally, the ALJ shall obtain additional vocational expert testimony, and reevaluate the
2 claimant's ability to perform his past relevant work, or other work, at step five of the sequential
3 process, taking into consideration the claimant's inability to communicate in English.

4 On remand, the ALJ shall take any other actions necessary to develop the record, and
5 plaintiff shall be permitted to submit additional evidence and arguments to the ALJ. Other
6 aspects of the ALJ's prior decision not addressed here are not affirmed. Plaintiff shall be entitled
7 to reasonable attorney fees, expenses, and costs pursuant to 28 U.S.C. § 2412(d), upon proper
8 request to the Court.

9 A proposed order accompanies this Report and Recommendation.

10 DATED this 9th day of December, 2011.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge
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